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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,453	03/24/2000	Roger Cowles	AGOR-0001	3383

881            7590            08/14/2003

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[REDACTED] EXAMINER

JASMIN, LYNDA C

[REDACTED] ART UNIT      [REDACTED] PAPER NUMBER

3627

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/534,453	COWLES, ROGER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lynda Jasmin	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 June 2003.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,4-25,27-33 and 35-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-14 is/are allowed.
- 6) Claim(s) 15-21,24,25,27-29,33,36,37,41-44 and 46-49 is/are rejected.
- 7) Claim(s) 22,23,30-32,35,38-40 and 45 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 27, 2003 has been entered.

### ***Claim Objections***

2. Claims 21 and 29 are objected to because of the following informalities: at line 2, the term "identify" should be --identity--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15, 20, 21, 24, 25, 27-29, 33, 36, 37, 41-44, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski (2002/0049607 A1), in view of Pool et al. (6,460,020).

Perkowski discloses a method and system of creating an electronic catalog database with the steps of receiving product information (from registering manufacturer) through a network (IPD server) in a predetermined standard format (formatted within suitable Product Registration Forms) to create a predefined, structured, universal electronic catalog database [box 0130], and placing the item information into categories based on standard classification codes [box 068].

Perkowski however fails to disclose a universal electronic catalog including associating a country where the item resides to the item in the universal electronic database.

Poll et al. discloses the concept of creating universal electronic catalog having associating a country where the item resides to the item in the universal electronic catalog database (via shipping information col. 4, lines 13-15).

Pool et al. further discloses determining trade costs (via duties and other such as taxes and shipping) associated with the item and adding the trade costs to cost of the item resulting in the landed cost of the item (col. 3, lines 11-17) and returning the total landed cost of the item through the network (col. 8, lines 46-50), receiving, through the network, identity of the country the item is to be shipped from and the identity of the country the item is to be shipped to (col. 4, lines 13-15), and receiving type of currency the requester prefers and the type of currency the seller prefers (col. 5, lines 58-65; col. 6, lines 4-36).

From this teaching of Pool et al. it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modify the electronic database

of Perkowski to include identification of the country an item is to be shipped from and identification of the country the item is to be shipped to in order to provide a seamless order entry system for shopping on the World Wide Web or private network.

5. Claims 16-19, 46 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski in view of Pool et al., and further in view of Westrope et al. (5,968,110).

The Perkowski and Pool et al. combination discloses the method and system of creating a universal electronic catalog however, fails to explicitly disclose returning of items through the network within the standard classification code.

Westrope et al. discloses a worldwide commercial business having a network coupling a plurality of country specific system (cross-border transaction system) with the steps of receiving item information through a network (45) into an electronic catalog (49), and returning, through the network, items within the standard classification code (col. 10, lines 47-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the universal shopping network of the Perkowski and Pool et al. combination to include the electronic catalog and product return routine taught by Westrope et al. for the purpose of facilitating selection of item to be purchase and returned from different countries.

***Allowable Subject Matter***

6. Claims 1-14 are allowed.

7. Claims 22, 23, 30-32, 35, 38-40 and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record fails to teach or suggest determining whether any trading private or public partner agreements apply which govern the purchase price and adjusting the trade cost accordingly.

#### ***Response to Arguments***

9. Applicant's arguments with respect to claims 15, 20, 21, 24, 25, 27-29, 33, 36, 37, 41-44, 48 and 49 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mclauchlin et al. (2001/0011222 A1) discloses an integrated procurement management system where procurement documents and data include agreements, contracts, grants, catalog purchases etc.

Perkowski (2002/0004753 A1) is also cited for create product database.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (703) 305-

0465. The examiner can normally be reached on Monday- Friday (8:00-5:30) alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3597 for regular communications and (703) 305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1113.

  
Lynda Jasmin  
Examiner  
Art Unit 3627

Ij  
August 8, 2003